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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Torsten Vilkner  
TITLE : POWDER INJECTION SYSTEM  
AND METHOD  
APPLICATION NO. : 10/561,573  
FILED : May 15, 2006  
CONFIRMATION NO. : 7822  
EXAMINER : J.A. Dillon, Jr.  
ART UNIT : 3651  
LAST OFFICE ACTION : June 29, 2007  
ATTORNEY DOCKET NO. : KSTR 2 00005  
Cleveland, OH 44114  
September 28, 2007

**RESPONSE TO RESTRICTION REQUIREMENT**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In the Office Action dated June 29, 2007, a restriction was required between the invention of Group I, claims 1, 2, 5-8 and 14, drawn to an open loop conveyor and the invention of Group II, claims 3, 4, 10-12 and 15-18, drawn to a conveyor and controller. Applicants were advised to elect a single invention to be examined and identify the claims encompassing the elected invention.

In reply, applicants provisionally elect the invention of Group I, claims 1, 2, 5-8 and 14, for examination herein.

However, applicants traverse the restriction requirement for the following reasons. The claims of Group I cover a powder injection microchip. The claims of

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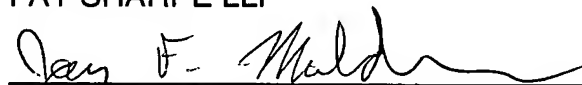
Group II relate to how that powder injection microchip is being used. The structural features within, for example, independent claim 10 (which is identified as belonging to the invention of Group II) define the microchip to which the method is to be applied using almost identical wording to that used in claim 1 (which is identified as belonging to the invention of Group I).

The patentable subject matter common to claims 1 and 10 is therefore the same. That patentable subject matter comprises a) a gas supply inlet for supplying gas, b) an outlet, c) a channel in fluid connection with the gas supply inlet and the outlet, d) a powder reservoir, and e) a powder inlet in fluid communication with the channel for receiving an open first end of the powder reservoir, the powder reservoir having an opening at or near to a second end thereof to allow egress of gas from the powder reservoir at a point distal to the open first end of the powder reservoir. Therefore, it is respectfully submitted that the restriction requirement should be withdrawn.

Applicant looks forward to a further consideration of the pending claims of this application.

Respectfully submitted,

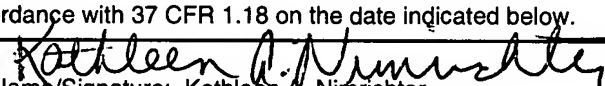
FAY SHARPE LLP



Jay F. Moldovanyi, Reg. No. 29,678  
1100 Superior Avenue, 7<sup>th</sup> Floor  
Cleveland, OH 44114-2579  
216-861-5582

September 28, 2007

Date

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify this correspondence (and any item referred to herein as attached or enclosed) is (are) being	
<input checked="checked" type="checkbox"/>	deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
<input type="checkbox"/>	transmitted to the USPTO by facsimile in accordance with 37 CFR 1.18 on the date indicated below.
Date: September 28, 2007	 Name/Signature: Kathleen A. Nimrichter

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